

**THE RIGHT TO EDUCATION AND HOMELESSNESS IN BRAZIL AND
MARANHÃO: AN ANALYSIS OF LAYERS OF VULNERABILITY BASED ON
FLORENCIA LUNA**

**DIREITO À EDUCAÇÃO E SITUAÇÃO DE RUA NO BRASIL E NO MARANHÃO:
UMA ANÁLISE DAS CAMADAS DE VULNERABILIDADE A PARTIR DE
FLORENCIA LUNA**

**EL DERECHO A LA EDUCACIÓN Y LA SITUACIÓN DE CALLE EN BRASIL Y
EN MARANHÃO: UN ANÁLISIS DE LAS CAPAS DE VULNERABILIDAD A
PARTIR DE FLORENCIA LUNA**

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ABSTRACT

This article analyzes the right to education of homeless people in Brazil, with a specific focus on the state of Maranhão, based on Florencia Luna's theory of layers of vulnerability. Although education is constitutionally guaranteed as a fundamental right, its effective implementation remains limited for socially vulnerable groups. Methodologically, the study adopts a qualitative, theoretical-documentary approach, combining critical literature review with the analysis of legal frameworks and public data. The discussion draws on critical pedagogy, human rights, and vulnerability theories, engaging with authors such as Paulo Freire, Judith Butler, Achille Mbembe, and Boaventura de Sousa Santos. The findings indicate that educational exclusion among homeless populations results from overlapping layers of vulnerability—documentary, institutional, territorial, symbolic, and socioeconomic—intensified in Maranhão by historical and racial inequalities. The article concludes that ensuring the right to education requires intersectoral public policies, inclusive pedagogical practices, and the recognition of homeless people as rights holders and knowledge producers.

Keywords: Right to Education. Homelessness. Vulnerability. Human Rights. Maranhão.

RESUMO

O presente artigo analisa o direito à educação das pessoas em situação de rua no Brasil, com recorte específico no estado do Maranhão, a partir da teoria das camadas de vulnerabilidade proposta por Florencia Luna. Parte-se do reconhecimento de que, embora a educação seja constitucionalmente assegurada como direito fundamental, sua efetivação permanece limitada para grupos socialmente vulnerabilizados. Metodologicamente, o estudo adota abordagem qualitativa, de natureza teórico-documental, com revisão de literatura crítica e análise de documentos normativos e dados públicos. A discussão articula os aportes da pedagogia crítica, dos direitos humanos e das teorias da vulnerabilidade, dialogando com autores como Paulo Freire, Judith Butler, Achille Mbembe e Boaventura de Sousa Santos. Os resultados indicam que a exclusão educacional das pessoas em situação de rua decorre

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da sobreposição de múltiplas camadas de vulnerabilidade — documentais, institucionais, territoriais, simbólicas e socioeconômicas — intensificadas no contexto maranhense por desigualdades históricas e raciais. Conclui-se que a garantia do direito à educação exige políticas públicas intersetoriais, práticas pedagógicas inclusivas e o reconhecimento da população em situação de rua como sujeitos de direitos e produtores de conhecimento.

Palavras-chave: Direito à Educação. Situação de Rua. Vulnerabilidade. Direitos Humanos. Maranhão.

RESUMEN

Este artículo analiza el derecho a la educación de las personas en situación de calle en Brasil, con un enfoque específico en el estado de Maranhão, a partir de la teoría de las capas de vulnerabilidad propuesta por Florencia Luna. Aunque la educación está constitucionalmente garantizada como un derecho fundamental, su materialización sigue siendo limitada para los grupos socialmente vulnerabilizados. Metodológicamente, el estudio adopta un enfoque cualitativo de carácter teórico-documental, basado en una revisión crítica de la literatura y en el análisis de documentos normativos y datos públicos. La discusión articula aportes de la pedagogía crítica, los derechos humanos y las teorías de la vulnerabilidad, dialogando con autores como Paulo Freire, Judith Butler, Achille Mbembe y Boaventura de Sousa Santos. Los resultados indican que la exclusión educativa de las personas en situación de calle resulta de la superposición de múltiples capas de vulnerabilidad —documentales, institucionales, territoriales, simbólicas y socioeconómicas— agravadas en Maranhão por desigualdades históricas y raciales. Se concluye que la garantía del derecho a la educación exige políticas públicas intersectoriales, prácticas pedagógicas inclusivas y el reconocimiento de estas personas como sujetos de derechos y productores de conocimiento.

Palavras-chave: Derecho a la Educación. Sin Hogar. Vulnerabilidad. Derechos Humanos. Maranhão.



1 INTRODUCTION

Homelessness is one of the most acute expressions of contemporary social inequality, revealing the historical insufficiency of public policies aimed at guaranteeing fundamental rights. In Brazil, the continuous growth of the homeless population exposes the persistence of exclusionary social structures that operate by denying access to housing, work, health and, in a particularly sensitive way, education. Although this is constitutionally recognized as a right of all and a duty of the State, its implementation remains profoundly unequal, especially for socially vulnerable groups.

In the educational field, the exclusion of homeless people is not limited to the absence of vacancies or the precariousness of the school offer. It is a structural phenomenon, produced by multiple institutional, symbolic and material barriers that make access, permanence and completion of educational trajectories unfeasible. The school, often organized based on rigid normative standards, shows little sensitivity to the living conditions marked by instability, extreme poverty and the rupture of social bonds that characterize the street experience.

The state of Maranhão is significantly inserted in this debate, since it presents historically unfavorable social and educational indicators, associated with persistent racial, territorial and economic inequalities. The reality of Maranhão shows how the educational exclusion of homeless people cannot be understood only as an individual failure or absence of interest, but as a result of structural processes that produce and reproduce vulnerabilities over time.

In this context, this article proposes to analyze the right to education of homeless people in Brazil, with emphasis on Maranhão, based on the theory of layers of vulnerability developed by Florencia Luna. This approach allows us to understand vulnerability as a relational and dynamic phenomenon, resulting from the overlapping of different social, legal and institutional factors, moving away from simplifying readings that naturalize exclusion.

By articulating the fields of education, human rights and public policies, the study seeks to contribute to the deepening of the academic debate on homelessness, highlighting the centrality of education as an instrument of recognition, dignity and social inclusion. More than describing a social problem, the article intends to problematize the conditions that limit the exercise of the right to education and to indicate analytical paths capable of subsidizing the construction of intersectoral public policies and pedagogical practices committed to social justice.

2 PROBLEMATIZATION

The guarantee of the right to education for homeless people highlights a central contradiction of the Democratic Rule of Law: the distance between the formal recognition of rights and their concrete realization for historically marginalized groups. Although the Brazilian legal system affirms education as a universal right, reality shows that this right does not materialize in an equitable way, especially for those whose existence is marked by extreme social exclusion.

In the case of homeless people, the educational problem cannot be understood in isolation or reduced to individual factors, such as supposed lack of interest or personal incapacity. On the contrary, it is a structural phenomenon, produced by multiple mechanisms of exclusion that operate simultaneously and cumulatively. Homelessness, economic precariousness, the rupture of family ties, social stigma and institutional violence are elements that hinder or make it impossible to access traditional educational policies.

In Maranhão, this problem takes on even more complex contours, due to historical inequalities that cross the state, such as high rates of poverty, illiteracy, informality of work and racial inequality. The combination of these factors contributes to the intensification of the educational exclusion of the homeless population, revealing the insufficiency of existing public policies to face the complexity of the problem.

Another central element of the problematization refers to the way educational institutions are organized. To a large extent, the school operates based on normative standards that presuppose residential stability, regular documentation, continuous attendance and availability of time — conditions that do not correspond to the reality of homeless people. This disconnection between the institutional organization and the concrete living conditions of the subjects results in processes of silent exclusion, in which the right to education is formally guaranteed, but materially denied.

In addition, it is observed that the homeless population remains, to a large extent, invisible in educational diagnoses and sectoral public policies. The absence of systematic data, the fragility of administrative records, and the scarce specific academic production on the subject in Maranhão hinder the formulation of evidence-based policies and reinforce the marginalization of this group in the educational field.

Given this scenario, the central problematization that guides this article can be formulated as follows: how do the multiple layers of vulnerability interfere in the exercise of

the right to education of homeless people in Brazil and, particularly, in Maranhão, and how have public educational policies responded to – or failed to respond – to this reality?

This question leads to the need for an analytical approach capable of overcoming simplifying explanations and recognizing the complexity of social vulnerability. In this sense, the theory of layers of vulnerability offers a relevant conceptual instrument to understand how different factors overlap and produce educational exclusion, allowing us to rethink public policies and pedagogical practices from a fairer, more inclusive perspective committed to human rights.

3 RATIONALE

The choice to analyze the right to education of homeless people in Brazil, with a specific focus on the state of Maranhão, is justified by the social, scientific and political relevance of the theme. Homelessness represents one of the most extreme faces of social exclusion, in which the denial of fundamental rights manifests itself simultaneously and continuously. Among these rights, education occupies a central place, as it is an essential instrument of emancipation, recognition and social participation.

In the Brazilian context, despite the normative advances in the area of human rights and education, there is a significant gap between the legal discourse and the reality experienced by the homeless population. The persistence of high rates of illiteracy, school dropout and low schooling among this group shows that the right to education is not yet fully realized, especially when it comes to subjects who live in conditions of extreme social vulnerability.

The justification for the Maranhão approach is based on the fact that the state has historically unfavorable social and educational indicators, in addition to deep territorial and racial inequalities. Maranhão is among the federative units with the highest rates of poverty and illiteracy in the country, which makes the analysis of homelessness and access to education even more urgent. In addition, there is a lack of academic studies that systematically articulate education, human rights and homelessness in the context of Maranhão, which reinforces the scientific relevance of this investigation.

From a theoretical point of view, the adoption of the approach of layers of vulnerability, proposed by Florencia Luna, confers originality and analytical rigor to the study. Although widely used in the field of bioethics, this perspective is still little explored in educational analyses and public policies aimed at the homeless population. Its application allows us to



understand vulnerability as a relational and cumulative phenomenon, avoiding generalizations and enabling the identification of specific factors that require differentiated interventions.

In addition, the dialogue with authors of critical pedagogy, human rights and contemporary social theories contributes to broadening the understanding of educational exclusion as a product of historical and structural processes, and not as an individual failure. This approach reinforces the need for intersectoral public policies and pedagogical practices committed to social justice, human dignity and the recognition of homeless people as bearers of rights.

Finally, this study is justified by its potential practical contribution, by offering theoretical and analytical subsidies for the formulation and improvement of more inclusive educational public policies. By highlighting the limits of the actions that currently exist and pointing out possible ways to overcome the layers of vulnerability, the article seeks to collaborate with public managers, educators and researchers interested in building a more just and democratic society.

4 GENERAL OBJECTIVE AND SPECIFIC OBJECTIVES

4.1 GENERAL OBJECTIVE

To analyze the right to education of homeless people in Brazil, with emphasis on the state of Maranhão, in the light of the theory of layers of vulnerability proposed by Florencia Luna, identifying the structural, institutional and symbolic factors that interfere in the access, permanence and effectiveness of this right, as well as the implications for the formulation of educational and intersectoral public policies.

4.2 SPECIFIC OBJECTIVES

1. To examine the national and international normative framework related to the right to education and protection of homeless people, highlighting its limits of effectiveness in the Brazilian context.
2. To understand the main social, economic and educational characteristics of the homeless population in Brazil and Maranhão, based on documentary data and existing studies.

3. Identify and analyze the multiple layers of vulnerability that affect homeless people, considering documentary, territorial, institutional, socioeconomic and symbolic aspects.
4. To evaluate how public educational policies, especially Youth and Adult Education, have responded to the needs of this public in the context of Maranhão.
5. Analyze the role of educational institutions in the production or mitigation of school exclusion, considering pedagogical practices, bureaucratic requirements and institutional dynamics.
6. Discuss the relevance of the intersectoral perspective in guaranteeing the right to education, articulating education, social assistance, health and human rights.
7. To contribute to the academic debate on education and social vulnerability, expanding the application of the theory of layers of vulnerability to the educational field and public policies.

5 THEORETICAL FRAMEWORK

5.1 EDUCATION, HUMAN RIGHTS AND SOCIAL EXCLUSION

Education is recognized in the field of human rights as a fundamental right and an indispensable means for the exercise of citizenship and human dignity. In the Brazilian legal system, this right is supported by the Federal Constitution of 1988 and the Law of Guidelines and Bases of National Education, which establish education as a duty of the State and a right of all. However, the realization of this right remains deeply unequal, especially for historically marginalized groups, such as homeless people.

The critical literature points out that educational exclusion cannot be understood only as the absence of access to school, but as the result of social processes that produce inequality and invisibility. In this sense, education operates both as an instrument of emancipation and, paradoxically, as a space for the reproduction of inequalities when it does not consider the concrete living conditions of the subjects. The homeless population, marked by trajectories of ruptures, extreme poverty and institutional violence, finds in the traditional organization of the educational system a series of obstacles that make it impossible for them to remain and participate effectively.

Authors in the field of human rights point out that the denial of the right to education for this group constitutes a systematic violation of rights, reinforcing cycles of social exclusion and preventing access to other fundamental rights. Thus, education must be understood as

an interdependent right, whose implementation requires articulation with social assistance, health, housing and work policies.

5.2 CRITICAL PEDAGOGY AND EDUCATION AS A PRACTICE OF EMANCIPATION

Critical pedagogy, especially from the contributions of Paulo Freire, offers a central reference to understand the role of education in the transformation of the realities of exclusion. Freire conceives education as a political and ethical practice, oriented towards the liberation of subjects and the recognition of their life experiences as legitimate knowledge. This perspective is particularly relevant when it comes to the education of homeless people, whose trajectories are often disregarded by traditional pedagogical models.

Freire's proposal of a dialogical, contextualized and problematizing education is opposed to the banking logic of teaching, which tends to reinforce hierarchies and silencing. In the context of homelessness, the absence of dialogue and recognition of lived experiences contributes to the distancing of these subjects from the school environment. Critical pedagogy, on the contrary, proposes educational practices capable of welcoming the diversity of trajectories and promoting processes of awareness and autonomy.

In this sense, thinking of education as an emancipatory practice implies questioning rigid curricula, inflexible methodologies and bureaucratic requirements that disregard social vulnerability. Critical pedagogy provides, therefore, theoretical foundations for the construction of inclusive educational practices committed to social justice.

5.3 VULNERABILITY, PRECARIOUSNESS AND THE PRODUCTION OF EXCLUSION

The concept of vulnerability has been widely used in the social sciences to analyze situations of risk, exclusion, and inequality. However, recent approaches warn of the limits of generalizing conceptions, which treat entire groups as essentially vulnerable. In this debate, Florencia Luna's contribution is central in proposing the metaphor of the layers of vulnerability, understanding vulnerability as relational, dynamic and contextual.

For Luna, vulnerability is not an intrinsic condition of the subject, but results from the overlapping of social, institutional, economic, and political factors that can be identified and potentially removed. This approach allows for a more accurate analysis of situations of exclusion, avoiding stigmatization and enabling targeted interventions. In the educational field, the application of this theory allows us to understand how different layers — such as



lack of documents, territorial instability, extreme poverty, and discrimination — accumulate and hinder the exercise of the right to education by people living on the streets.

The notion of precariousness, developed by Judith Butler, complements this analysis by showing that certain lives are socially produced as less worthy of protection. Precariousness, in this sense, is not distributed equally, but is crossed by power relations that define which groups will have access to rights and which will remain on the margins. The homeless population is included in this scenario as a group whose existence is often naturalized as disposable.

5.4 NECROPOLITICS, COLONIALITY, AND EPISTEMOLOGIES OF THE SOUTH

Reflection on the educational exclusion of homeless people also requires dialogue with approaches that problematize contemporary forms of life and death management. The theory of necropolitics, formulated by Achille Mbembe, contributes to understanding how the absence of effective public policies and state negligence can be interpreted as forms of production of social death. The continuous denial of access to education, in this context, configures a form of civil death, in which subjects are deprived of rights and recognition.

On the epistemological level, Boaventura de Sousa Santos denounces the persistence of an epistemicide that silences knowledge produced by subalternized groups. Homeless people, often excluded from formal spaces of knowledge production, have their experiences delegitimized and made invisible. In Maranhão, marked by deep colonial legacies and structural inequalities, this dynamic takes on even more intense contours.

The epistemologies of the South propose, therefore, the valorization of situated knowledge and the construction of public policies sensitive to local realities. In the educational field, this implies recognizing the experiences of homeless people as a legitimate source of knowledge and rethinking pedagogical practices that reproduce exclusionary patterns.

5.5 CONTRIBUTIONS OF THE THEORETICAL FRAMEWORK TO THE ANALYSIS OF MARANHÃO

The articulation between critical pedagogy, theory of layers of vulnerability, precariousness, necropolitics and epistemologies of the South offers a robust theoretical framework to analyze the right to education of homeless people in Maranhão. This theoretical set allows us to understand educational exclusion as a structural phenomenon, produced by multiple layers of inequality that reinforce each other.

By adopting this framework, the article dispels simplifying interpretations and contributes to the development of critical analyses capable of subsidizing more inclusive educational public policies. The theoretical framework, therefore, not only underpins the subsequent empirical analysis, but also guides the construction of proposals committed to the realization of human rights and to the overcoming of the historical inequalities that mark the context

6 ANALYSIS AND DISCUSSION OF THE RESULTS FROM THE LITERATURE REVIEW

6.1 THE HOMELESS SITUATION AS AN EXPRESSION OF OVERLAPPING LAYERS OF VULNERABILITY

The analysis of the literature allows us to understand the homeless situation not as an isolated phenomenon or resulting exclusively from individual choices, but as a result of a historical and structural process marked by deep inequalities. In the Brazilian context, several studies point out that factors such as extreme poverty, breakdown of family ties, unemployment, structural racism, urban violence, and the absence of consistent public policies act in combination, producing trajectories of prolonged exclusion.

Based on the theoretical contribution of Florencia Luna, it is possible to interpret homelessness as a condition crossed by multiple layers of vulnerability, which accumulate and reinforce each other. These layers are neither fixed nor homogeneous, but vary according to the social, territorial and institutional context. In the case of homeless people, the denial of the right to education constitutes a central layer, which enhances other vulnerabilities and hinders social reintegration processes.

This approach makes it possible to overcome simplifying readings that classify the homeless population as inherently vulnerable, shifting the focus to the social and state mechanisms that produce and maintain this condition.

6.2 RIGHT TO EDUCATION AND INSTITUTIONAL INVISIBILITY

The literature review shows that, although the right to education is formally ensured, its implementation for homeless people faces significant obstacles. Bureaucratic barriers, such as the requirement for documentation, proof of address, and regularity of attendance, operate as mechanisms of indirect exclusion. In addition, institutional practices marked by prejudice and stigmatization contribute to distancing these subjects from educational spaces.

In this scenario, education ceases to fulfill its emancipatory role and starts to function as a device for the reproduction of inequalities. Authors in the field of critical pedagogy point out that the absence of specific educational policies for vulnerable populations reveals a restrictive conception of citizenship, in which only certain subjects are recognized as legitimate recipients of rights.

In Maranhão, this institutional invisibility is aggravated by historical regional inequalities, low socioeconomic indicators, and limitations in the provision of inclusive educational policies. The literature points out that the absence of systematized data on the schooling of the homeless population in the state contributes to the formulation of fragmented and ineffective policies.

6.3 COLONIALITY, EPISTEMICIDE AND PRODUCTION OF EDUCATIONAL EXCLUSION

The educational exclusion of homeless people can also be analyzed in the light of the critique of the coloniality of power and knowledge. The production of public educational policies in Brazil, in general, is still guided by homogeneous models, little sensitive to local realities and life trajectories marked by exclusion. This logic reinforces a process of epistemicide, in which the knowledge produced by marginalized subjects is disregarded.

In this sense, it is questioned whether homeless people are not, in a way, imprisoned by an epistemological colonialism, which defines which lives are worthy of educational investment and which can be relegated to marginality. The critical literature indicates that the denial of the right to education for this group is not only an administrative failure, but an expression of a political rationality that hierarchizes lives.

In Maranhão, where strong colonial legacies and territorial inequalities persist, this logic is manifested in an intense way, especially in large cities, where the homeless population lives with the absence of educational policies articulated with social assistance policies.

6.4 EDUCATION AS A POSSIBILITY OF BREAKING THE LAYERS OF VULNERABILITY

Despite the adverse scenario, the literature also points to experiences that show the potential of education as an instrument for breaking the layers of vulnerability. Popular education initiatives, youth and adult education programs, and intersectoral actions demonstrate that flexible, contextualized, and dialogical pedagogical practices can favor processes of rapprochement of the homeless population with the right to education.



Inspired by Freire's pedagogy, these experiences recognize homeless subjects as bearers of knowledge and stories, breaking with welfare and paternalistic approaches. From Florencia Luna's perspective, such initiatives act directly on certain layers of vulnerability, reducing their impacts and expanding the possibilities of autonomy and social participation.

In the context of Maranhão, although still incipient, experiences of this nature indicate possible paths for the construction of educational policies that are more sensitive to local specificities and to the multiple dimensions of social exclusion.

6.5 ANALYTICAL SUMMARY OF THE DISCUSSION

The analysis and discussion of the results, based on the literature review, allow us to affirm that homelessness and the denial of the right to education are interconnected phenomena, produced by overlapping layers of vulnerability. The approach proposed by Florencia Luna contributes decisively to understanding the complexity of these dynamics, avoiding generalizations and guiding more precise interventions.

In Brazil and, in particular, in Maranhão, the realization of the right to education for homeless people requires the recognition of structural inequalities, the overcoming of exclusionary institutional practices and the valorization of epistemologies committed to human rights and social justice.

7 FINAL CONSIDERATIONS

This article aimed to analyze the right to education of homeless people in Brazil, with emphasis on the context of Maranhão, from a critical approach based on human rights and the theory of layers of vulnerability proposed by Florencia Luna. Throughout the analysis, it was evident that homelessness cannot be understood as an individual or circumstantial condition, but as a result of historical, social and institutional processes that produce exclusion and invisibility.

The literature review showed that the denial of the right to education for homeless people constitutes a systematic violation of fundamental rights, aggravated by bureaucratic practices, institutional prejudices and educational models that are not very sensitive to the realities of extreme vulnerability. In this sense, education, although formally recognized as a universal right, remains inaccessible to a significant portion of the population, reinforcing cycles of poverty and marginalization.

The application of the metaphor of the layers of vulnerability allowed us to understand that educational exclusion is only one of the dimensions that overlap in the lives of people living on the streets. Factors such as homelessness, economic precariousness, social discrimination, lack of access to health and fragility of family ties constitute layers that, combined, intensify the denial of rights. This approach proved to be particularly relevant to avoid generalizations and stigmatizations, in addition to offering subsidies for the formulation of more effective public policies.

In the context of Maranhão, regional inequalities, colonial legacies and the fragility of public educational policies contribute to the intensification of these layers of vulnerability. The absence of systematized data on the schooling of the homeless population in the state highlights the need for greater investment in research and intersectoral policies that articulate education, social assistance, health and housing.

It is concluded that the realization of the right to education for homeless people requires not only the expansion of access to formal educational systems, but the construction of critical, flexible and contextualized pedagogical practices, capable of recognizing the subjects as bearers of knowledge and rights. Overcoming the inequalities analyzed requires the commitment of the State and society to the promotion of human dignity, social justice and the consolidation of human rights, especially in historically marginalized territories, such as Maranhão.

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